



# CDER Regulatory Applications – Investigational New Drug and New Drug Applications

REdI Conference

June 19, 2013

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# Outline

- Introduction
  - Drug Development overview
  - Pharmaceutical Quality and the Desired State
- CDER Regulatory Applications
  - Investigational New Drugs (INDs)
  - New Drug Applications (NDAs)
  - Drug Master Files (DMFs)
  - Post-approval changes
- Quality by Design
- Breakthrough Therapies
- Conclusions

## Expectations for Quality

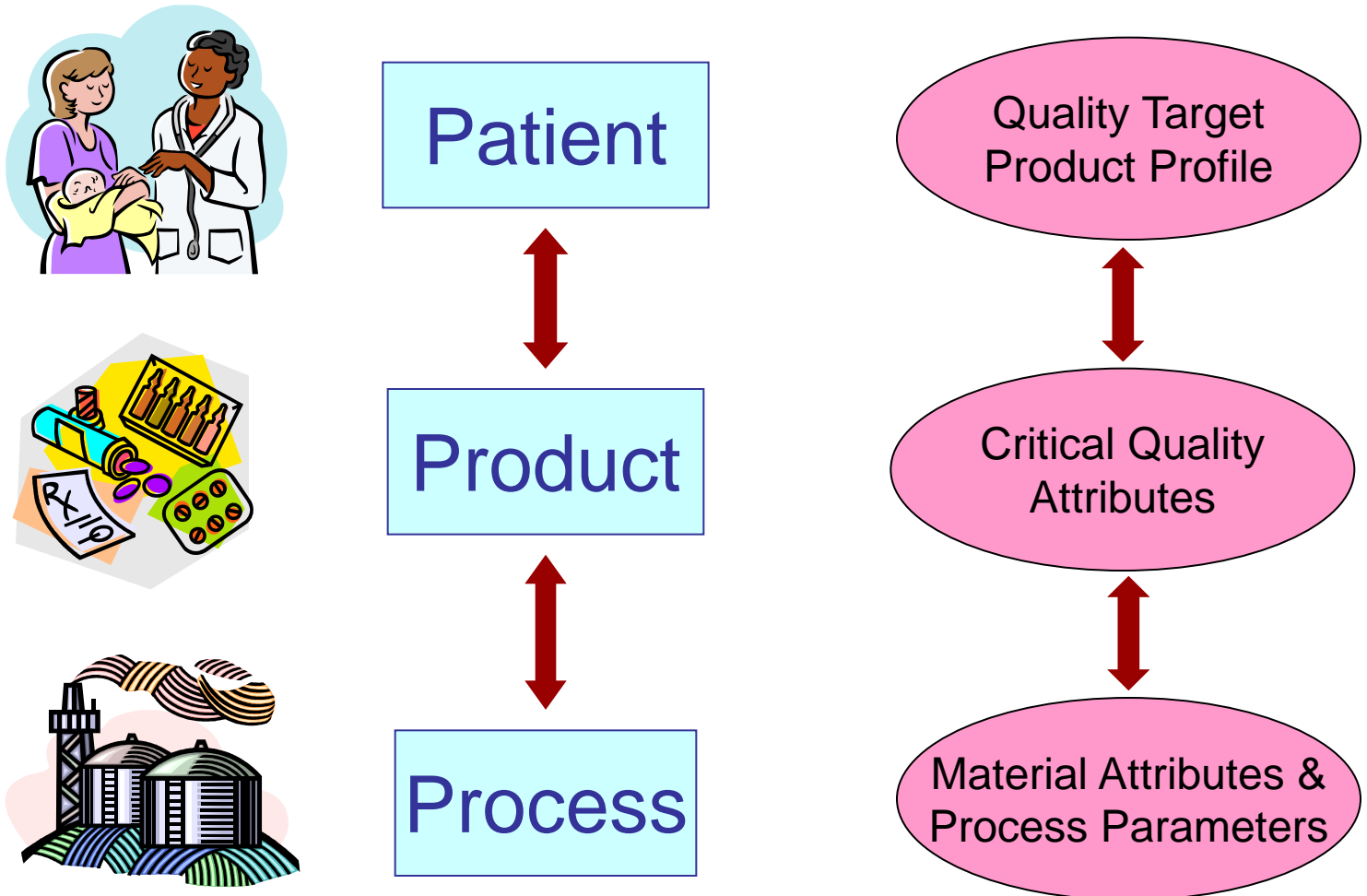
Patients and caregivers assume that their drugs:

- Are safe
- Are efficacious
- Have the correct identity
- Deliver the same performance as described in the label
- Perform consistently over their shelf life
- Are made in a manner that ensures quality
- Will be available when needed

# What is Pharmaceutical Quality?

- The suitability of either a drug substance or drug product for its intended use. This term includes such attributes as identity, strength and purity  
(ICH Q6A)
- The degree to which a system or process fulfills the requirements for the consistent properties of a product, system or process  
(ICH Q9)

# Linking Process - Product - Patient



## Why is Quality Important?

- Ties product performance to label claim
- Applies to design, manufacture and clinical use of product
- Relates critical attributes of the drug to patient safety and fitness for use
- Necessary for product availability to patient (i.e., poor quality often results in recalls and shortages)





# CDER Regulatory Submissions

## Investigational New Drugs (INDs)

- Initial INDs (Research/commercial)
- Amendments
- Special Protocol Assessments (SPAs)

## New Drug Applications (NDAs)

- Original NDA submissions
- Commitments/protocols
- Supplements
- Annual Reports

## Drug Master Files (Types I, II, III, IV, and V)



## Agency Meetings/Interactions

- PreIND
- EOP1
- EOP2
- preNDA
- CMC-specific
- Others as required

Everything tracked officially (DARRTS)



# **IND Submission and Review Process**

# IND Submissions

## Initial INDs

- 30 day evaluation period
- Focus on safety
- Safe to proceed or clinical hold.
- Some Sponsors elect to withdraw or inactivate rather than be placed on clinical hold.

Single patient use (Compassionate use) - ASAP

## Treatment INDs and Treatment Protocols

- cGMP evaluation requests submitted
- cGMP recommendation issued within a 30-day clock

## Exemptions

## IND Submissions – Regulations

### **21 CFR 312.23(a)(7)(i)**

“Sufficient information should be submitted to assure the proper identification, quality, purity, and strength of the investigational drug.”

“...the amount of information needed to make that assurance will vary with the phase of the investigation, the proposed duration of the investigation, the dosage form, and the amount of information otherwise available.”

## IND Clinical Holds – Regulations

### **21 CFR 312.42**

- Order by the FDA to suspend or delay a clinical investigation
- Proposed studies may not proceed

### **21 CFR 312.42(b)(iv)**

“The IND does not contain sufficient information required under § 312.23 to assess the risks to subjects of the proposed studies.”

## IND Guidances

- INDs for Phase 2 and Phase 3 Studies  
Chemistry, Manufacturing, and Controls  
Information
- Content and Format of Investigational New Drug  
Applications (INDs) for Phase 1 Studies of Drugs
- Apply to both research and commercial  
sponsors of INDs.

# The Initial IND Submission

## IND Submission (21 CFR 312)

- Goal: Develop data in humans for submission of an NDA
- Components
  - Cover sheet (21 CFR §312.23(a)(1))
  - Table of contents (21 CFR §312.23(a)(2))
  - Introductory statement and general investigational plan (21 CFR §312.23(a)(3))
    - Brief 2-3 page summary
    - Helps FDA anticipate sponsor needs



## The Initial IND Submission (continued)

- Investigator's brochure(21 CFR §312.23(a)(5))
  - Compilation of the clinical and non-clinical data on the investigational product(s) that are relevant to the study of the product(s) in human subjects
  - Facilitates investigator understanding of rationale of key features of the protocol (dose frequency/interval, methods of administration)
- Protocols (21 CFR §312.23(a)(6))
- Chemistry, Manufacturing, and Control (CMC) information (21 CFR §312.23(a)(7))
  - Information on drug substance and drug product

## The Initial IND Submission (continued)

- Pharm/Tox studies (21 CFR §312.23(a)(8))
  - Description of pharmacological effects, ADME
  - Integrated summary of toxicological effects in animals and *in vitro* studies
    - » Study reports should be available to FDA within 120 days of the start of the human study
- Previous experience (21 CFR §312.23(a)(9))
  - presented in an integrated summary

## The IND Review Team

- Primary Clinical reviewer
- Primary Chemistry reviewer
- Primary PharmTox reviewer
- Sometimes: Clinical Pharm., Microbiology, Biopharmaceutics
- Project manager (aligned with the clinical division)
- Supervisory/secondary signoffs

# Initial INDs: The Safety Determination

## Two possibilities

- FDA inaction in 30 days triggers proposed clinical studies – safe to proceed
- FDA issuance of “clinical hold” – no clinical studies can be conducted

***If a study is not determined to be safe to proceed, the IND is placed on “clinical hold.”***

## IND “Safety Issues”

- Safety issue = a scientific issue which requires data and/or resolution prior to the initiation of the proposed clinical trial(s).
- Attempt to resolve all IND safety issues prior to 30-day “safety date”.
- Unresolved safety issues result in a recommendation for a clinical hold.

## Examples of CMC “Safety Issues”

- Lack of batch analysis (preclinical and/or clinical)
- Insufficient or missing compatibility data
- Inconsistent or deficient CMC information
- Lack of detail regarding manufacturing process
- Lack of sterility assurance
- Lack of proper authorization for cross-referenced information
- Omission of CFR-required CMC items

## Clinical Holds – Process

During IND safety review (30 days), the CMC reviewer:

- Confirms required CMC information
- Develops a CMC safety recommendation of “safe to proceed” or “not safe to proceed”
- Conveys/discusses recommendation to multidisciplinary team



## Clinical Holds – Process

Two possibilities

- FDA inaction in 30 days triggers proposed clinical studies – safe to proceed
- FDA issuance of “clinical hold” – no clinical studies can be conducted (issued by clinical division)

***Clinical hold recommendations can also be issued for active INDs during development***

## Examples of CMC “Safety Issues”

Potential CMC hold issues during development include:

- » Stability failures
- » New impurities or degradants
- » Compatibility issues
- » Container integrity issues
- » Sterility failures

## Recommended for Hold – What Next?

- FDA correspondence with Sponsor (tcon or written correspondence)
- Occasionally, issues resolved via discussion
- Sponsors may entirely withdraw IND and resubmit at a later time.
- Sponsors may be placed on a “partial hold”.
- Sponsors may be placed on an actual clinical hold.
- Sponsors may elect to inactivate IND until requested information is available.
  - Reactivation required (30 day clock)

## IND Amendments (21 CFR 312.31)

- All changes to active INDs are reported to FDA via amendments.
- Routed to CMC Lead; assigned to reviewer as needed
- Many amendments are NAI'd
- Can include request for Agency feedback, or reporting of potential safety issue
- Reviewed under the same 30-day safety evaluation clock
- Typical amendments: minor change in manufacture, batch size change and/or updated batch data, new labeling
- Inspections (cGMP compliance evaluation) can be requested at any time!
- INDs can be placed on hold at any time!

# Treatment Protocols

Submitted under an existing IND (21 CFR §312.34)

- FDA shall permit an investigational drug to be used for a treatment use under a treatment protocol or treatment IND if:
  - (i) The drug is intended to treat a serious or immediately life-threatening disease;
  - (ii) There is no comparable or satisfactory alternative drug or other therapy available to treat that stage of the disease in the intended patient population;
  - Treatment protocols do not equal intermediate access protocols

***All treatment protocols initiate an EES request (30-day clock)***

## Special Protocol Assessments (SPA)

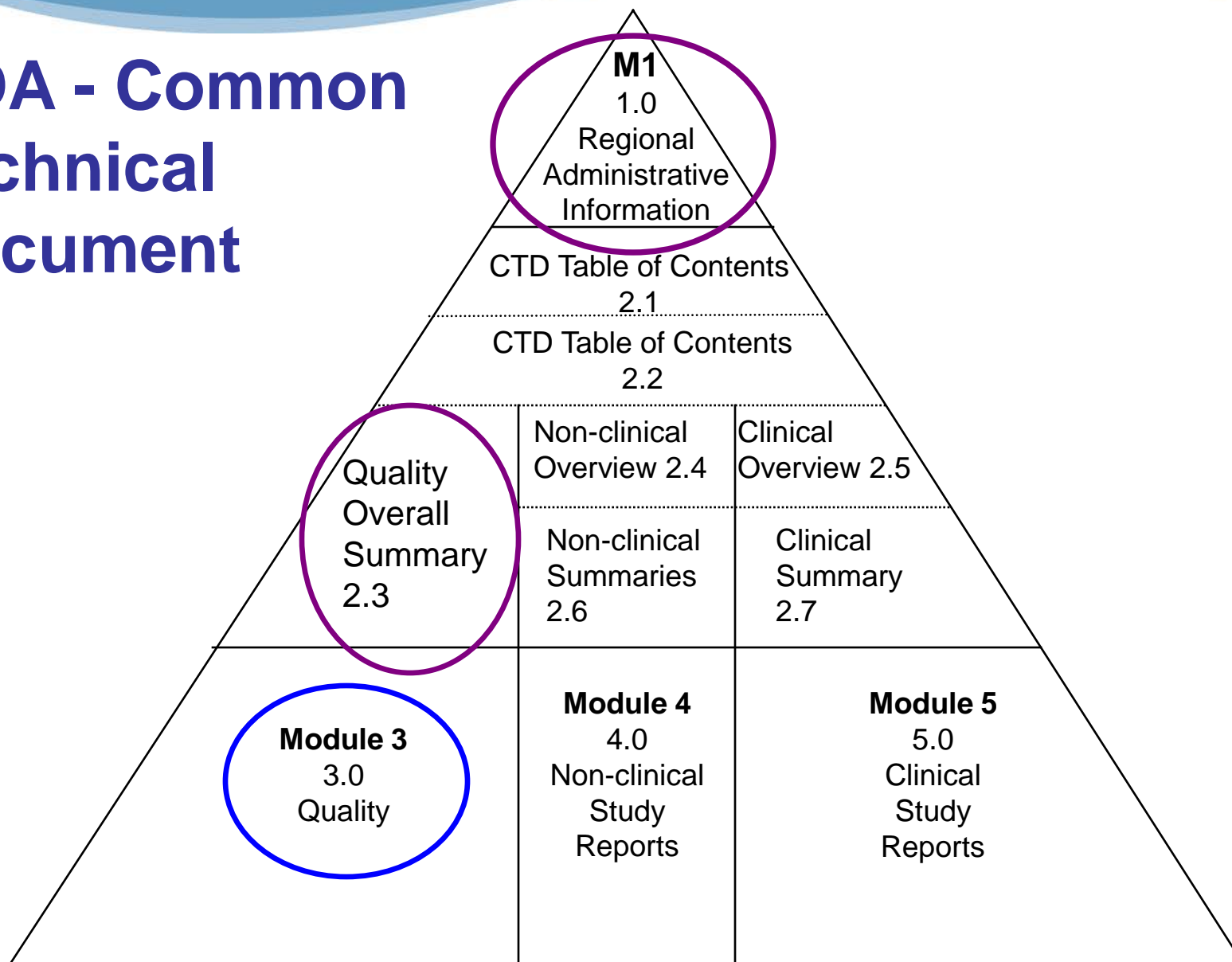
- 45-day review clock (PDUFA)
- Usually clinical in nature (protocols)
- Occasional CMC implications in SPAs
- CMC reviewer often part of SPA assessment team



# **NDA Submission and Review Process**



# NDA - Common Technical Document



## Original NDA Submissions

- CMC information usually included in complete NDA dossier
- Rolling review
  - Discipline sections received subsequently
  - As per previous agreement
  - PDUFA clock starts when NDA submission is complete
- Early submission (21 CFR 314.50)
  - Applies only to chemistry

## Original NDA Submissions (Cont.)

- Priority or Standard designation
  - Based on clinical impact
  - Decided at filing meeting (~45 days post-submission)
- 60 day filing decision
- 74-Day letter mandated for early feedback
- A very common CMC pre-filing request:  
confirmation of all manufacturing sites and  
confirmation of readiness for cGMP inspection

# The NDA Primary Review Team

- Medical Officer
- CMC Reviewer
  - Biopharmaceutics Reviewer as needed
  - Use of team review
- Statistics Reviewer
- Clinical Pharmacology Reviewer
- Pharmacology/Toxicology Reviewer
- Project Manager (aligned with clinical division)
- Project Manager for Quality (aligned with ONDQA)
- Supervisory signoffs for all disciplines
- Consults: Microbiology, DMEPA, Compliance (EES), others as needed

# The Complete NDA Submission

## Application content and organization (21 CFR 314.50)

### 1) Index

### 2) Labeling

- Draft container labels
- “Patient package inserts” (PPIs)

### 3) Application summary

- Statement on pharmacologic class, clinical benefits, and scientific rationale
- CMC information
- Foreign marketing history

# The Complete NDA Submission (cont.)

## 4) Chemistry

- Drug substance
  - Physical & chemical characteristics
  - Manufacturer name & address
  - Synthesis and control methods
  - Stability data
- Drug product
  - Components & composition
  - Batch production records
  - Master production record (21 CFR § 314.420)
  - Manufacturing and packaging procedures
- Environmental assessment
- Methods validation package

## The Complete NDA Submission (cont.)

- 5) non-clinical pharmacological and toxicological information
- 6) human pharmacokinetic (PK) and bioavailability information
- 7) microbiology
- 8) clinical information
- 9) safety update
- 10) statistical information
- 11) case report tabulations
- 12) case report form submission



## The Complete NDA Submission (cont.)

- 13) patent & exclusivity information
- 14) establishment description
  - Description of manufacturing facilities
- 15) debarment certification
  - Statement confirming that no debarred individual's services were used in connection with the NDA
- 16) field copy certification
  - Statement confirming that a true copy of the chemistry section was submitted to the applicant's home district office
- 17) user fee cover sheet
- 18) miscellaneous (i.e. financial disclosure)

## The NDA Review Begins...

### User fees -- “Prescription Drug User Fee Act” (PDUFA)

- 1992: Fees used to reduce the time required to evaluate certain human drug applications without compromising review quality
- 1997(PDUFA II)
  - Reauthorized as part of FDAMA through Sept. 30, 2002
  - Phased in over five years
  - Review times dropped from 1993 to 1997 from 20 months to 12 months
- 2001/2002 (PDUFA III)
- 2007 (PDUFA IV, FDAAA)
- 2012 (PDUFA V, FDASIA)

# Good Review Management Principles and Practices (GRMPs)

- Finalized guidance in April/2005
- Intended to ensure that review and approval process is managed in a consistent and efficient manner
- Based on quality, efficiency, clarity, transparency, and consistency
- Stresses the importance of a complete NDA submission
- Recommends internal FDA review timelines
- Impact on review clock:
  - Internal timelines in place (midcycle, reviews)
  - Internal deadlines often earlier than GRMPs

# NDA Refuse to File - Regulations

## 21 CFR 314.101(a)(1)

“Within 60 days after FDA receives an application, the agency will determine whether the application may be filed. The filing of an application means that FDA has made a threshold determination that the application is sufficiently complete to permit a substantive review.”

21 CFR 314.101(d)

FDA Guidance Document: Refuse to File

## NDA Refuse to File - Process

- Upon NDA receipt, CMC review team assesses for filability
  - CMC Lead
  - CMC Reviewer
  - ONDQA Biopharmaceutics Reviewer
- Filability recommendation conveyed to clinical division in which new NDA resides
- Official Refuse to File determination (clinical)

## Example of Potential CMC RTF Issues

- Undefined manufacturing facilities and/or lack of confirmation of facility information
- Insufficient stability data to support a commercially viable expiration dating period
- Significant changes to the commercial formulation following clinical trials
- Insufficient parallel between primary stability batches and proposed commercial formulation(s)

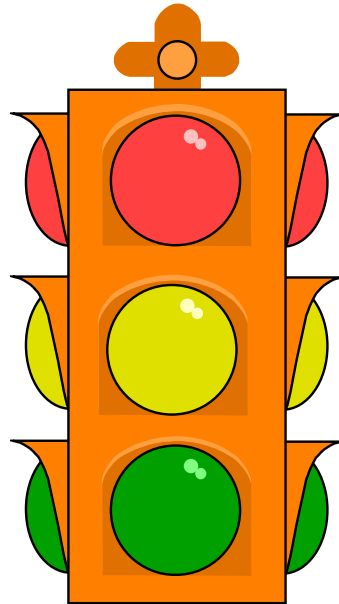
## During the NDA Review...

- Pre-approval inspections/cGMP evaluation
- Information requests to Applicant
- Teleconferences as necessary
- Responses sent to Agency for review
  - Timely submissions expected
  - Submissions often governed by previous agreements
  - Submissions received in last 3 months of review clock – possibly considered MAJOR amendments
- Advisory committees (NMEs)
- Labeling review, including container/carton
- Decision on approvability by action due date

# NDA Actions

Approval

Complete Response





## Information Contained in Action Letter

- Outstanding deficiencies, if any
- Sites receiving withhold recommendations
- Expiration dating period for approvals
- Full labeling, including container/carton labels, for approvals
- Post-marketing studies, as appropriate
- Input from all disciplines – signed off by clinical division or office

## Drug Master Files (DMFs)

- Covered under 21CFR 314.420
- Mechanism to preserve confidentiality of proprietary information
- FDA neither independently reviews nor approves or disapproves DMFs
- Types of DMFs:
  - **Type 1** [Reserved] Formerly facility descriptions
  - **Type 2:** Drug substance, drug substance intermediate, and materials used in their preparation, or drug product
  - **Type 3:** Packaging materials
  - **Type 4:** Excipient, colorant, flavor, essence, or materials used in their preparation
  - **Type 5:** FDA-accepted reference information (pre-arranged via letter of intent with FDA).

## Drug Master Files (Cont.)

- Can be cross-referenced for either INDs or NDAs
- Letter of Authorization required for cross-reference
- Manufacturing sites included in EES request for NDAs and supplements
- Separate review conducted for each cross-referenced DMF
- Status of DMF (adequate or inadequate) referenced in NDA or IND review document
- DMF deficiencies not specifically conveyed to Applicant!

# Supplemental NDAs for Post-approval Changes

## Defined Filing Categories

- Prior Approval Supplement (PAS)
- Changes Being Effected [0, 30]/CBE-0, CBE-30
- Annual Report

## Defined Review Timelines (PDUFA)

- Prior Approval Supplement (PAS): 4 months
- Changes Being Effected: 6 months
- Annual Report (30-day safety review)

# What is Quality by Design?

Systematic approach to development

- Applies to both IND and NDA review
- Begins with predefined objectives
- Emphasizes product and process understanding and process control
- Based on sound science and quality risk management

*From ICH Q8(R1)*

## Why QbD?

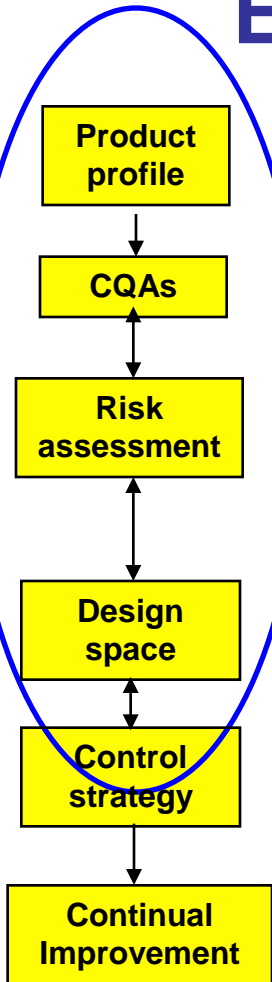
- Higher level of assurance of product quality
- Cost saving and efficiency for industry
  - Facilitate innovation to address unmet medical needs
  - Increase efficiency of manufacturing process and reduce manufacturing cost and product rejects
  - Minimize/eliminate potential compliance actions, costly penalties and recalls
  - Opportunities for continual improvement
- More efficient regulatory oversight
  - Enhance opportunities for first cycle approval
  - Streamline post approval manufacturing changes and regulatory processes
  - More focused PAI and post approval cGMP inspections

## Characteristics of Desired State

- Manufacturers have extensive knowledge about critical product and process parameters and quality attributes
- Manufacturers control process through quality systems over life cycle and strive for continuous improvement
- FDA Role: Initial verification, subsequent audit
- No manufacturing supplements (may be needed for formulation change)

Janet Woodcock, M.D.  
Deputy Commissioner/Chief Medical Officer, FDA  
Pharmaceutical Quality Initiatives Workshop  
March 2, 2007

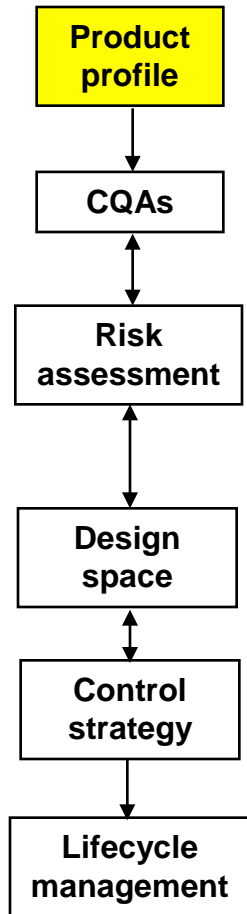
## Example QbD Approach (ICH Q8R1)



- Target the product profile
- Determine critical quality attributes (CQAs)
- Link raw material attributes and process parameters to CQAs and perform risk assessment
- Develop a design space
- Design and implement a control strategy
- Manage product lifecycle, including continual improvement

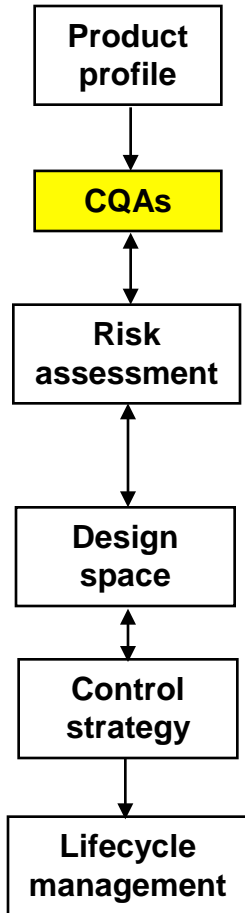


# Product Profile



- Product profile considerations
  - dosage form
  - strengths
  - route of administration
  - release/delivery and pharmacokinetic characteristics
  - specific quality criteria (e.g. sterility, purity)
- Dosage form examples
  - tablets
  - inhalation spray
  - parenteral

# Critical Quality Attributes (CQAs)



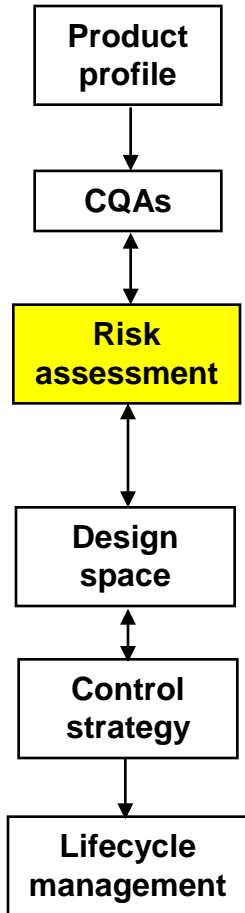
- Definition (Q8R1)
  - A physical, chemical, biological, or microbiological property or characteristic that should be within an appropriate limit, range, or distribution to ensure the desired product quality
- Can describe aspects of drug substance or intermediates that affect drug product quality
- Drug product CQAs are used to guide product and process development

# Example of Critical Quality Attributes

## Extended-release product

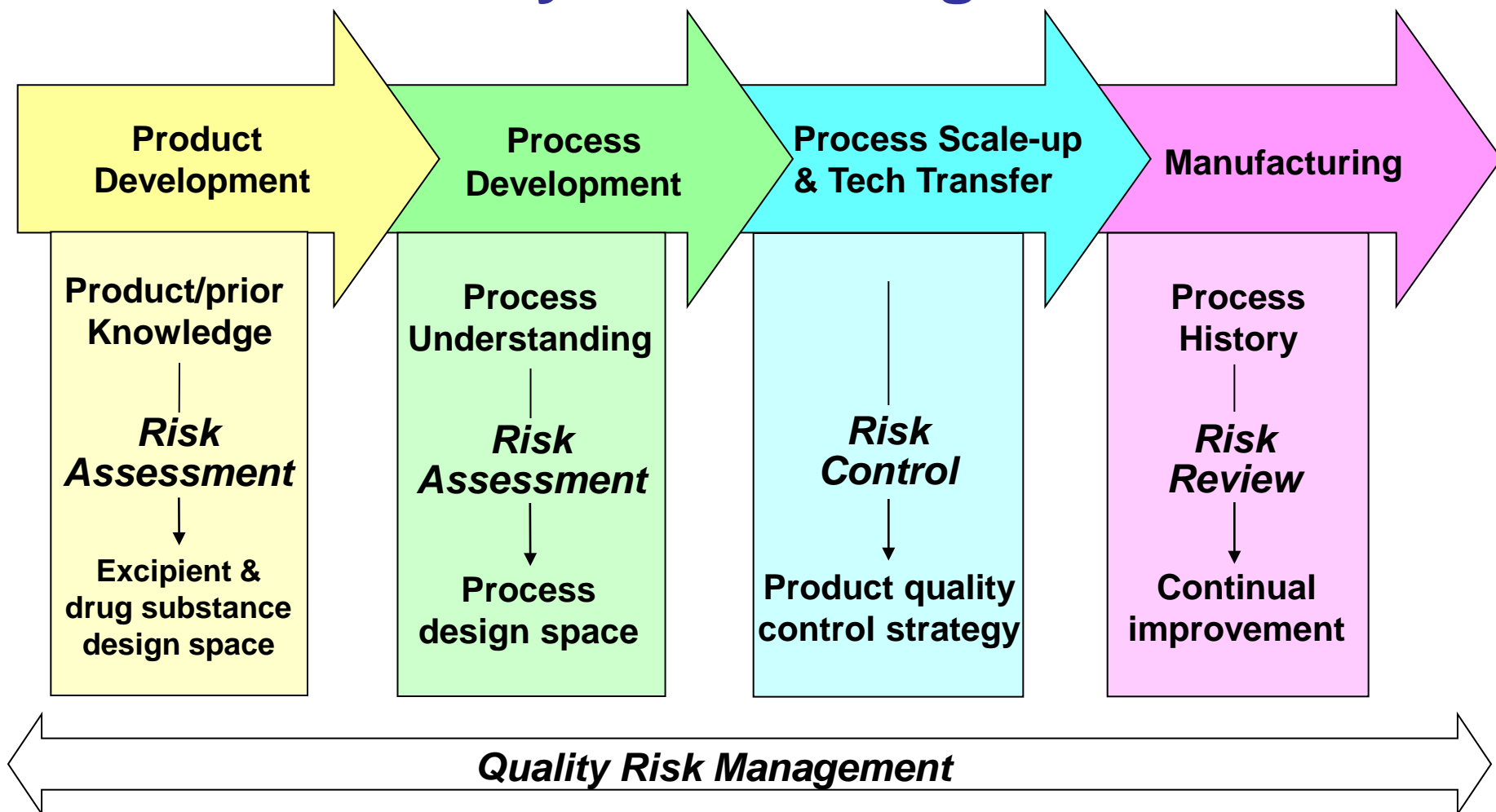
- CQA from clinical performance standpoint
  - dissolution
- CQAs from processability standpoint
  - tablet hardness
  - particle size distribution of blend
  - appearance

## QbD – Risk Assessment (Q8R1)

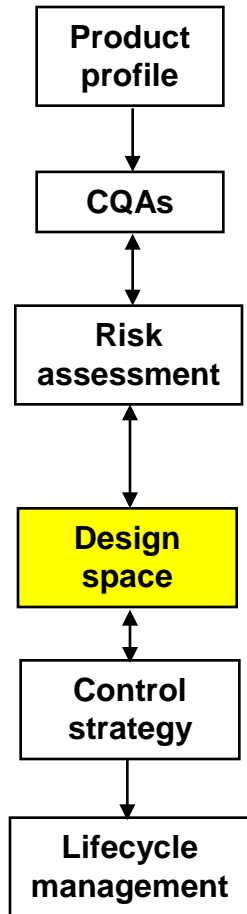


- Prioritize list of potential CQAs
- Aid in identifying and linking material attributes and process parameters which have an effect on CQAs

# Quality Risk Management



## QbD – Design Space (Q8R1)



- Definition
  - The multidimensional combination and interaction of input variables (e.g., material attributes) and process parameters.
- Regulatory flexibility
  - Working within design space is not considered a change
- Design space is proposed by the applicant and is subject to regulatory assessment and approval

## When to do QbD?

Timing is at Applicant's discretion

- Phase 1: focus on product understanding
- Phase 2: focus on process understanding
- Phase 3: apply product and process understanding to manufacture of clinical trial supplies and NDA supportive batches

Agency interactions: EOP2, pre-NDA, CMC specific meetings (all are encouraged)

# How Does QbD Accelerate Development?

## More work upfront

- Systematic
- More thorough results
- Reduces product failures
- Quality control strategies based on product knowledge and process understanding
- A more scientific and risk-based approach to regulatory oversight

***You cannot place a price tag on failures that do not occur.***



# FDASIA - Challenges for Quality Review

- Section 901– Fast Track Drug Products
  - Facilitate development and expedite the review of drugs for the treatment of a serious or life-threatening disease or condition that demonstrates the potential to address unmet medical need
- Section 902 –Breakthrough Therapy Drugs
  - Expedite the development and review of a drug for serious or life-threatening disease or condition and preliminary clinical evidence indicates that the drug may demonstrate substantial improvement over existing therapies
    - Provide timely advice and interactive communication with the sponsor regarding the development of the drug to ensure that the development
    - Provide a collaborative cross disciplinary review utilizing senior managers and experienced review staff, as appropriate
- Section 905 – Risk Benefit Framework
  - Implement a structured risk-benefit assessment framework in the new drug approval process and regulatory decision making<sup>61</sup>

# Challenges for Expedited Reviews

- Alignment of CMC development and manufacturing timelines with the clinical development program
  - Consideration of manufacturing scale
  - Coordination with contract manufacturers, as needed
  - Early availability of manufacturing sites for inspection
- Coordination of CMC development program and submissions
  - Recommend early communication between Sponsor and Agency
  - Involve both review and compliance staff to facilitate review and inspection timing
  - Recommend earlier submission of product quality information for review and inspection planning
- Accelerated manufacturing development program likely with less information than typically available
  - May warrant a risk-benefit assessment regarding risk of less CMC information vs. patient benefit

# Considerations for Expedited Reviews

- Limited data available and/or submitted
  - Manufacturing batch data
  - Stability data
  - Data available at time of submission
- Review timing constraints
- Frequent communication often needed
- Supply considerations

***All rest on...What is the risk to overall quality?***



# Expedited Reviews – Best Practices

- Pre-NDA discussions
  - Clinical/commercial comparability
  - Stability data package to be submitted
  - Amount of stability data in original NDA
  - Manufacturing sites identified
  - Significant Quality by Design elements
  - Possible post-marketing CMC commitments/requirements
  - Availability of drug for commercial launch
- During the NDA review
  - Teleconferences as needed for clarification
  - Information Requests



# Communications

- IND stage
  - preIND, EOP1, EOP2, preNDA
  - Sponsors can request additional meetings
  - CMC-specific meetings are an option
  - Formal Information Requests
  - For anticipated expedited/priority therapies, preNDA meetings can be used to discuss critical aspects of incoming NDA submission
- NDA stage
  - Formal Information Requests
  - PDUFA V (e.g. LCM)
  - Teleconferences during review clock, as needed

# FDA Innovative Drug Approvals

- FY 2011-2012 Innovative Drug Approvals
- Many were expedited reviews



## Proposed Office of Pharmaceutical Quality

- Combines components of current CDER Office of Pharmaceutical Sciences and CDER Office of Compliance
- Intended to provide better alignment between all quality functions (review, inspection, research)
- Focus areas for new office:
  - Integrated approaches for review and inspection
  - Risk based approaches to review and inspection
  - Efficiency and risk-based work prioritization
  - Modern regulatory science approaches (e.g., clinically relevant specifications, statistical sampling)



## Conclusions

- CMC Clinical Hold recommendations (IND)
  - Based on unresolved CMC safety issues during an IND's safety review
  - Can also be based on safety issues identified during development
- CMC Refuse to File recommendations (NDA)
  - Based on an incomplete submission
  - Manufacturing and testing sites not ready for inspection at the time of NDA submission
  - Insufficient (or missing) stability data
- Quality by Design – a more scientific and risk-based approach to regulatory oversight
- Some challenges with expedited/priority therapies
  - Alignment of CMC and clinical development
  - Sometimes warrants a risk/benefit assessment regarding risk of less CMC information vs. patient benefit
- Proactive communications encouraged during development and review
- FDASIA and CDER's restructuring of quality functions hold promise for moving forward